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**Attorney For Plaintiff(s)**

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

MICHEAL SAMY AMIN ESHAK

Case No.: 5:23-cv-2010

Plaintiff(s),

vs.

UNITED STATES DEPARTMENT OF  
HOMELAND SECURITY; UNITED  
STATES CITIZENSHIP AND  
IMMIGRATION SERVICES; LOS  
ANGELES ASYLUM OFFICE; DAVID  
RADEL; ALEJANDRO MAYORKAS;  
UR M. JADDOU; TED H. KIM;  
MATTHEW D. EMRICH;  
CHRISTOPHER A. WRAY AND DOES  
1-10,

Defendants.

**COMPLAINT FOR:**

- 1) DECLARATORY  
AND INJUNCTIVE RELIEF**
- 2) WRIT IN THE NATURE OF  
IMMIGRATION MANDAMUS**

By and through her undersigned counsel, Plaintiff Michael Samy Amin Eshak,  
("Plaintiff(s)" brings this action, individually on behalf of Micheal Samy Amin Eshak

**INTRODUCTION**

1. This action is brought by Plaintiff Micheal Samy Amin Eshak (herein after called “Plaintiff”) by and through his attorney, to request issuance of a writ of mandamus or in the nature of mandamus and/or to compel under the Administrative Procedure Act (“APA”) ordering Defendants and those acting under them to process an Application for Asylum and for Withholding of Removal which was received and pending as of July 21, 2017, and which has still not been called for an interview.
2. On March 13, 2017 Plaintiff came to the United States at Los Angeles, California on a B2 visa and have stayed in the US ever since. On July 21, 2017, Plaintiff submitted an I-589 Application for Asylum and Withholding of Removal to the California Service Center which was subsequently assigned for processing and adjudication to the Defendant Los Angeles Asylum Office. *See (Exhibit A: I-589 Application for Asylum and Withholding of Removal and Receipt Notice)*. Plaintiff sought asylum in the United States of America based on past persecution and/or a well-founded fear of returning to Egypt on account of his Coptic Christian Orthodox religion.
3. After submitting his application for asylum, Defendant USCIS instructed Plaintiff to present himself to biometric inspection at a designated USCIS Application Support Center on August 4, 2017. *See (EXHIBIT B: I-797 Notice of Action- Fingerprint Notifications)*. Plaintiff requested to be added to the Standby List. *See (EXHIBIT C- Request to be Added to the Los Angeles Standby List)*.
4. After Plaintiff provided his biometric information, neither Defendant USCIS nor Los Angeles Asylum Office nor any of the other named Defendants communicated with Plaintiff about the exact date their asylum interview would be scheduled. Plaintiff made

1 an inquiry about his case on August 11, 2017 and received no response from any of the  
2 Defendants ever since. The Plaintiff has been waiting over 6 years for his interview date  
3 and at this point Plaintiff has no way of knowing how much longer he will have to wait in  
4 order to testify in support of his application for asylum. Plaintiff is unable to plan for his  
5 future and is forced to endure the constant uncertainty of the possibility that his  
6 application will be denied and referred to The Executive Office for Immigration Review  
7 (EOIR).  
8

- 9
- 10 5. Defendants have violated the Administrative Procedures Act (“APA”) by failing to  
11 schedule Plaintiff’s asylum application for an interview which has been pending now for  
12 over 5 years. Plaintiff seek to compel Defendants, through a writ of mandamus, to  
13 schedule an interview for the pending asylum application.  
14

15  
16 **PARTIES**

- 17 6. Plaintiff is a citizen of Egypt. He came to the United States on B2 visas on March 13,  
18 2017. Plaintiff filed his I-589 Application for Asylum and Withholding of Removal and  
19 appeared at the designated Application Support Center during the appointed time frame  
20 and provided his biometric information on August 4, 2017, within one year of his arrival  
21 in the United States.  
22
- 23 7. Defendant UNITED STATES DEPARTMENT OF HOMELAND SECURITY  
24 (hereinafter “DHS”) is an agency of the United States government involved in the acts  
25 challenged, employs the officers named as defendants, and includes the U.S. Citizenship  
26 and Immigration Services and Los Angeles Asylum office and officers named as  
27 defendants in this complaint.  
28

- 1 8. Defendant UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES  
2 (hereinafter “USCIS”) is an agency of the United States government under DHS,  
3 overseeing the Los Angeles Asylum Office and officers named as defendants in this  
4 Complaint.  
5
- 6 9. Defendant LOS ANGELES ASYLUM OFFICE (hereinafter “Los Angeles Asylum  
7 Office”) is an office within USCIS and the federal agency with direct authority and  
8 responsibility to adjudicate Plaintiff’s asylum application.  
9
- 10 10. Defendant DAVID RADEL (hereinafter “Director Radel”) is the director of the Los  
11 Angeles Asylum Office. This suit is brought against Director Radel in his official  
12 capacity, as he is charged with overseeing the adjudication of the asylum applications at  
13 the Los Angeles Asylum Office in a timely manner, and ensuring the efficiency of the  
14 officers employed.  
15
- 16 11. Defendant ALEJANDRO MAYORKAS (hereinafter “Secretary Mayorkas”) is the  
17 Secretary of the Department of Homeland Security. This suit is brought against Secretary  
18 Mayorkas in his official capacity, as he is charged with the administration and  
19 enforcement of all immigration and citizenship laws that are bound in the powers, duties,  
20 and functions of the Department of Homeland Security.  
21
- 22 12. Defendant UR M. JADDOU (hereinafter “Director Jaddou”) is the Director of USCIS,  
23 the Agency charged with adjudicating Plaintiff(s) asylum application. This suit is  
24 brought against Director Jaddou in her official capacity, as she is charged with oversight,  
25 administration, and execution of immigration laws of the United States.  
26  
27
- 28 13. Defendant TED H. KIM (hereinafter “Associate Director KIM”) is the Associate Director  
of Refugee, Asylum, and International Operations. This suit is brought against Associate

1 Director Kim in his official capacity, as he is charged with supervision over all asylum  
2 offices, including the Los Angeles Asylum Office, and it requires some applications to be  
3 forwarded to headquarters before final adjudication, and may, upon information and  
4 belief, have ordered that Plaintiff's case be forwarded to his office for its review.  
5

6 14. Defendant MATTHEW D. EMRICH (hereinafter "Associate Director Emrich") is the  
7 Associate Director of USCIS Fraud Detection and National Security Directorate. This  
8 suit is brought against Associate Director Emrich in his official capacity, as he supervises  
9 all USCIS staff who review asylum applications to ensure that immigration benefits are  
10 not granted to individuals who pose a threat to national security or public safety, or who  
11 seek to defraud the immigration system. Certain applications must be reviewed by the  
12 Fraud Detection and National Security Directorate before their final adjudication. Upon  
13 information and belief, USCIS has not adjudicated the Plaintiffs' asylum application  
14 because the Fraud Detection and National Security Directorate has never completed its  
15 review.  
16

17 15. Defendant CHRISTOPHER A. WRAY (hereinafter "Director Wray") is the Director of  
18 the Federal Bureau of Investigations. This suit is brought against Director Wray in his  
19 official capacity, as he is responsible for overseeing the background checks involved with  
20 immigration matters.  
21

### 22 JURISDICTION

23 16. The Administrative Procedure Act recognizes a right of judicial review for any person  
24 "suffering legal wrong because of an agency action or aggrieved or adversely affected by  
25 such action within the meaning of any relevant statutes." 5 U.S.C. § 702. Plaintiff  
26  
27  
28

1 suffered a legal wrong and continue to suffer because of the Defendants' failure to act  
2 upon the pending Asylum application for indefinite periods of time.

3  
4 17. The Court has jurisdiction over the present action pursuant to 8 C.F.R. § 204,  
5 Immigration & Nationality Act § 203 (b)(1)(C); 28 U.S.C. § 1131, 28 U.S.C. § 136, the  
6 Mandamus Act; 28 U.S.C. §2201, the Declaratory Judgement Act; and 5 U.S.C. §701-706,  
7 the Administrative Procedures Act. Costs and attorney fees will be sought pursuant to the  
8 Equal Access to Justice Act, 5 U.S.C. §504 and 28 U.S.C. §2412(d), et seq. Relief is  
9 requested pursuant to said statutes.  
10

11  
12 18. The APA also provides pursuant to 5 U.S.C. § 706(1) that courts "shall compel agency  
13 action unlawfully withheld." Courts have held that this provision eliminates court  
14 discretion to grant relief once an agency has violated a statutory deadline. *See*  
15 *Biodiversity Legal Foundation v. Badgley*, 309 F.3d 1166, 1178 (9<sup>th</sup> Cir. 2002) (noting  
16 that when "Congress has specifically provided a deadline for performance,...no  
17 balancing of factors is required or permitted."  
18

### 19 VENUE

20  
21 19. Venue is proper in this Court, pursuant to 28 U.S.C. § 1391(e), which provides that in a  
22 civil action in which each defendant is an officer or employee of the United States or any  
23 agency thereof acting in his or her official capacity, or under the color of legal authority,  
24 or any agency of the United States, the action may be brought in any judicial district in  
25 which a plaintiff resides, so long as no real property is involved in the action. Plaintiff(s)  
26 resides in San Bernardino, California which is located in the Central District of  
27 California. No real property is involved in this action. Therefore, venue is proper in this  
28 Court.

**EXHAUSTION OF REMEDIES**

20. Plaintiff has no administrative remedies. Since Plaintiff complied with his fingerprints requirement on August 4, 2017, he did not hear from any of the Defendants and has received no clear correspondence or communication from Defendant USCIS nor Los Angeles Asylum Office about how much longer he will have to wait for the pending asylum application to be called for an interview. Plaintiff had been waiting over 6 years at this point to have his asylum claim heard at the Los Angeles Asylum Office. There are no administrative remedies for neglect of duty.

**CAUSE OF ACTION**

21. Pursuant to 8 U.S.C §1158, Plaintiff filed an application for Asylum and Withholding of Removal on July 21, 2017, and completed fingerprinting on August 4, 2017 and have filed their application within one year of his arrival to the US.

22. Since filing their Application, Plaintiff did not receive any concrete indication from the Defendant Los Angeles Asylum Office nor USCIS of the date their Asylum interview will be scheduled. Plaintiffs therefore, have no way of knowing how much longer the scheduling process will take.

23. Under 28 U.S.C. § 1361, the district courts shall have original jurisdiction of any action in the nature of a mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

24. Under the Administrative Procedures Act, a person suffering legal wrong because of agency action, or adversely affected or aggrieved by agency action within the meaning of a relevant statute, is entitled to judicial review thereof.

1 25. Defendants have a statutory duty to adjudicate asylum requests within 180 days of filing  
2 pursuant to 8 U.S.C. § 1158 (d)(5)(A)(iii). It has been over 5 years since Plaintiff(s)  
3 applied for Asylum. Plaintiff(s) have yet to receive an interview date for their case.  
4

5 26. Plaintiff has no adequate remedy at law, and will continue to suffer irreparable harm if  
6 the asylum application is not promptly scheduled.  
7

8 27. Pursuant to 28 U.S.C. § 1361, this Court has “original jurisdiction in the nature of the  
9 mandamus to compel an officer or employee of the United States or any agency thereof  
10 to perform a duty owed to the [Plaintiffs.]”  
11

12 28. Pursuant to 28 U.S.C. § 1651, this Court may issue any and all “writs necessary or  
13 appropriate in aid of [the Court’s] respective jurisdiction and agreeable to the usages and  
14 principles of law.”  
15

16 **CLAIM FOR RELIEF**

17 29. Plaintiff claims in this action is clear and certain. Plaintiff(s) realleges paragraphs 1  
18 through 28, and, as if fully set forth, Plaintiff is entitled to an order in the nature of  
19 mandamus to compel Defendants to complete administrative processing and schedule an  
20 interview for the pending Asylum application.  
21

22 30. As a result of the Defendants’ failure to adequately perform their duties, Plaintiff(s) have  
23 suffered, are suffering, and will continue to suffer irreparable harm. Specifically:  
24

- 25 a. Plaintiff has been irreparably damaged from the fear of not knowing or ability to  
26 prepare for his future concerning what will happen with his asylum case for 6 years  
27 Plaintiff has been constantly hoping to have the case scheduled for an interview so his  
28 case could then be adjudicated and he can progress with his life. Due to the



1 abnormally long wait and lack of certainty surrounding when his asylum case will be  
2 heard, Plaintiff is enduring significant psychological trauma.

- 3  
4 b. The delay is causing irreparable harm to Plaintiff who is not able to progress with his  
5 life in the United States without fear of being forced to return to Egypt, a country  
6 where upon return it is reasonable to believe that he will be persecuted, tortured, or  
7 killed.

8  
9 31. The Defendants, in violation of the Administrative Procedure Act, are unlawfully  
10 withholding or unreasonably delaying action on Plaintiff's application and have failed to  
11 carry out the non-discretionary adjudicative functions delegated to them by law with  
12 regard to their case.

13  
14 32. The duty of the Defendants is non-discretionary, ministerial, and so plainly described as  
15 to be free from doubt that mandamus is appropriate in this matter.

16  
17 33. Plaintiff has attempted to learn about the status of his pending Asylum and Withholding  
18 of Removal application, all to no avail. Only the Los Angeles Asylum Office can make  
19 decisions on scheduling an asylum interview, leaving no adequate remedy.

20  
21 Accordingly, Plaintiff has been forced to pursue the instant action.

22 **PRAYER**

23  
24 34. WHEREFORE, in view of the arguments and authorities noted herein, Plaintiff respectfully  
25 prays that the Defendants be cited to appear herein and that, upon due consideration, the Court:

- 26 a. Accept jurisdiction and maintain continuing jurisdiction in this action;  
27  
28 b. Declare as unlawful the violation by Defendants of failing to act on a properly  
filed Asylum and Withholding of Removal application;

- 1 c. Declare Defendants' failure to carry out the adjudicative functions delegated to  
2 them by law with regard to Plaintiff's case as agency action unlawfully withheld  
3 and unreasonably delayed, pursuant to 5 U.S.C. § 706(1);  
4  
5 d. Issue a preliminary and permanent injunction pursuant to 28 U.S.C. § 1361 and 5  
6 U.S.C. § 706(1) compelling the Defendants to take action on Plaintiff's asylum  
7 application by scheduling an asylum interview and then timely adjudicating the  
8 case subsequent to the interview;  
9  
10 e. Issue a writ in the nature of mandamus pursuant to 28 U.S.C. § 1361 and 5 U.S.C.  
11 § 706(1), compelling the Defendants to take action on Plaintiff(s) Withholding of  
12 Removal Application by scheduling an interview and then timely adjudicating the  
13 case subsequent to the interview;  
14  
15 f. Grant attorney's fees and costs of this suit under the Equal Access to Justice Act,  
16 28 U.S.C. § 2412;  
17  
18 g. Grant such relief at law and in equity as justice may require.  
19  
20

21 Date: October 02, 2023

22 Respectfully submitted,

23 /s/ Gihan L. Thomas, Esq.  
24

25 Gihan L. Thomas

26 Certified Specialist, Immigration and Nationality Law  
27 State Bar of California, Board of Legal Specialization  
28

**LIST OF EXHIBITS TO COMPLAINT FOR DECLARATORY AND  
INJUNCTIVE RELIEF AND FOR A WRIT IN THE NATURE OF  
IMMIGRATION MANDAMUS FOR MICHAEL SAMY AMIN ESHAK  
v. UNITED STATES DEPARTMENT OF HOMELAND SECURITY ET AL.**

**EXHIBIT** **PAGES**

<b>A.</b>	I-589 Application for Asylum, Plaintiff's Declaration, and Receipt Notice.....	1
<b>B.</b>	I-797 Notice of Action- Fingerprint Notifications of Plaintiff(s).....	19
<b>C.</b>	Request to be added to the Los Angeles Asylum Standby List.....	20

# Exhibit A

Department of Homeland Security  
U.S. Citizenship and Immigration Services

OMB No. 1615-0067; Expires 12/31/2016

U.S. Department of Justice  
Executive Office for Immigration Review

# I-589, Application for Asylum and for Withholding of Removal

**START HERE** - Type or print in black ink. See the instructions for information about eligibility and how to complete and file this application. There is NO filing fee for this application.

**NOTE:** Check this box if you also want to apply for withholding of removal under the Convention Against Torture. ☒

Part A.I. Information About You				
1. Alien Registration Number(s) (A-Number) (if any) None		2. U.S. Social Security Number (if any) None		
3. Complete Last Name ESHAK	4. First Name Micheal	5. Middle Name Samy Amin		
6. What other names have you used (include maiden name and aliases)? Michael Samy Amin Eshak				
7. Residence in the U.S. (where you physically reside)				
Street Number and Name 7879 Rancho Fanita Dr.		Apt. Number D		
City Santee	State CA	Zip Code 92071	Telephone Number (858)829-6484	
8. Mailing Address in the U.S. (if different than the address in Item Number 7)				
In Care Of (if applicable): Same as above		Telephone Number		
Street Number and Name		Apt. Number		
City	State	Zip Code		
9. Gender: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	10. Marital Status: <input checked="" type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed			
11. Date of Birth (mm/dd/yyyy) 01/01/1983	12. City and Country of Birth Giza Egypt			
13. Present Nationality (Citizenship) Egyptian	14. Nationality at Birth Egyptian	15. Race, Ethnic, or Tribal Group White	16. Religion Coptic Catholic	
17. Check the box, a through c, that applies: a. <input checked="" type="checkbox"/> I have never been in Immigration Court proceedings. b. <input type="checkbox"/> I am now in Immigration Court proceedings. c. <input type="checkbox"/> I am not now in Immigration Court proceedings, but I have been in the past.				
18. Complete 18 a through c. a. When did you last leave your country? (mmm/dd/yyyy) 03/13/2017 b. What is your current I-94 Number, if any? 29229746485 c. List each entry into the U.S. beginning with your most recent entry. List date (mm/dd/yyyy), place, and your status for each entry. (Attach additional sheets as needed.) Date 03/13/2017 Place Los Angeles, CA Status B-2 Date Status Expires 09/13/2017 Date 07/28/2012 Place New York City, NY Status B-2 Date _____ Place _____ Status _____				
19. What country issued your last passport or travel document? Egypt	20. Passport Number A03968129 Travel Document Number None		21. Expiration Date (mm/dd/yyyy) 07/16/2018	
22. What is your native language (include dialect, if applicable)? Arabic	23. Are you fluent in English? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		24. What other languages do you speak fluently? None	
For EOIR use only.	For USCIS use only.		<b>Action:</b> Interview Date: _____ Asylum Officer ID#: _____ <b>Decision:</b> Approval Date: _____ Denial Date: _____ Referral Date: _____	



**Part A.II. Information About Your Spouse and Children**

Your spouse

☒ I am not married. (Skip to Your Children below.)

1. Alien Registration Number (A-Number) (if any) None		2. Passport/ID Card Number (if any)		3. Date of Birth (mm/dd/yyyy)		4. U.S. Social Security Number (if any)	
5. Complete Last Name		6. First Name		7. Middle Name		8. Maiden Name	
9. Date of Marriage (mm/dd/yyyy)		10. Place of Marriage		11. City and Country of Birth			
12. Nationality (Citizenship)		13. Race, Ethnic, or Tribal Group		14. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female			
15. Is this person in the U.S.? <input type="checkbox"/> Yes (Complete Blocks 16 to 24.) <input type="checkbox"/> No (Specify location):							
16. Place of last entry into the U.S.		17. Date of last entry into the U.S. (mm/dd/yyyy)		18. I-94 Number (if any)		19. Status when last admitted (Visa type, if any)	
20. What is your spouse's current status?		21. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy)		22. Is your spouse in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No		23. If previously in the U.S., date of previous arrival (mm/dd/yyyy)	
24. If in the U.S., is your spouse to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes (Attach one photograph of your spouse in the upper right corner of Page 9 on the extra copy of the application submitted for this person.) <input type="checkbox"/> No							

Your Children. List all of your children, regardless of age, location, or marital status.

☒ I do not have any children. (Skip to Part A.III., Information about your background.)☐ I have children. Total number of children: \_\_\_\_\_

(NOTE: Use Form I-589 Supplement A or attach additional sheets of paper and documentation if you have more than four children.)

1. Alien Registration Number (A-Number) (if any) None		2. Passport/ID Card Number (if any)		3. Marital Status (Married, Single, Divorced, Widowed)		4. U.S. Social Security Number (if any)	
5. Complete Last Name		6. First Name		7. Middle Name		8. Date of Birth (mm/dd/yyyy)	
9. City and Country of Birth		10. Nationality (Citizenship)		11. Race, Ethnic, or Tribal Group		12. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	
13. Is this child in the U.S. ? <input type="checkbox"/> Yes (Complete Blocks 14 to 21.) <input type="checkbox"/> No (Specify location):							
14. Place of last entry into the U.S.		15. Date of last entry into the U.S. (mm/dd/yyyy)		16. I-94 Number (If any)		17. Status when last admitted (Visa type, if any)	
18. What is your child's current status?		19. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy)		20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No			
21. If in the U.S., is this child to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes (Attach one photograph of your spouse in the upper right corner of Page 9 on the extra copy of the application submitted for this person.) <input type="checkbox"/> No							

**Part A.II. Information About Your Spouse and Children (Continued)**

1. Alien Registration Number (A-Number) (if any)	2. Passport/ID Card Number (if any)	3. Marital Status (Married, Single, Divorced, Widowed)	4. U.S. Social Security Number (if any)
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth (mm/dd/yyyy)
9. City and Country of Birth	10. Nationality (Citizenship)	11. Race, Ethnic, or Tribal Group	12. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female
13. Is this child in the U.S.? <input type="checkbox"/> Yes (Complete Blocks 14 to 21.) <input type="checkbox"/> No (Specify location): _____			
14. Place of last entry into the U.S.	15. Date of last entry into the U.S. (mm/dd/yyyy)	16. I-94 Number (If any)	17. Status when last admitted (Visa type, if any)
18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy)	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes (Attach one photograph of your spouse in the upper right corner of Page 9 on the extra copy of the application submitted for this person.) <input type="checkbox"/> No			

1. Alien Registration Number (A-Number) (if any)	2. Passport/ID Card Number (if any)	3. Marital Status (Married, Single, Divorced, Widowed)	4. U.S. Social Security Number (if any)
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth (mm/dd/yyyy)
9. City and Country of Birth	10. Nationality (Citizenship)	11. Race, Ethnic, or Tribal Group	12. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female
13. Is this child in the U.S.? <input type="checkbox"/> Yes (Complete Blocks 14 to 21.) <input type="checkbox"/> No (Specify location): _____			
14. Place of last entry into the U.S.	15. Date of last entry into the U.S. (mm/dd/yyyy)	16. I-94 Number (If any)	17. Status when last admitted (Visa type, if any)
18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy)	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes (Attach one photograph of your spouse in the upper right corner of Page 9 on the extra copy of the application submitted for this person.) <input type="checkbox"/> No			

1. Alien Registration Number (A-Number) (if any)	2. Passport/ID Card Number (if any)	3. Marital Status (Married, Single, Divorced, Widowed)	4. U.S. Social Security Number (if any)
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth (mm/dd/yyyy)
9. City and Country of Birth	10. Nationality (Citizenship)	11. Race, Ethnic, or Tribal Group	12. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female
13. Is this child in the U.S.? <input type="checkbox"/> Yes (Complete Blocks 14 to 21.) <input type="checkbox"/> No (Specify location): _____			
14. Place of last entry into the U.S.	15. Date of last entry into the U.S. (mm/dd/yyyy)	16. I-94 Number (If any)	17. Status when last admitted (Visa type, if any)
18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy)	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes (Attach one photograph of your spouse in the upper right corner of Page 9 on the extra copy of the application submitted for this person.) <input type="checkbox"/> No			

**Part A-III. Information About Your Background**

1. List your last address where you lived before coming to the United States. If this is not the country where you fear persecution, also list the last address in the country where you fear persecution. (List Address, City/Town, Department, Province, or State and Country.)  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Number and Street (Provide if available)	City/Town	Department, Province, or State	Country	Dates	
				From (Mo/Yr)	To (Mo/Yr)
Masaken El-Robot	Port-Fouad	Port Said	Egypt	02/03/17	03/2017

2. Provide the following information about your residences during the past 5 years. List your present address first.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Number and Street	City/Town	Department, Province, or State	Country	Dates	
				From (Mo/Yr)	To (Mo/Yr)
7879 Rancho Fanita Dr.	Santee	CA	USA	03/2017	Present
Masaken El-Robot	Port-Fouad	Port Said	Egypt	02/03/2017	03/2017
Ouseem	Ouseem Town Center	Giza	Egypt	01/1983	02/03/2017

3. Provide the following information about your education, beginning with the most recent.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Name of School	Type of School	Location (Address)	Attended	
			From (Mo/Yr)	To (Mo/Yr)
Higher Institute for Arts	Institute	Cairo, Egypt	09/2000	06/2002
Talaat Harb	High School	Giza, Egypt	09/1997	06/2000
El Eman Private	Middle School	Giza, Egypt	09/1994	06/1997
El Eman Private	Elementary School	Giza, Egypt	09/1989	06/1994

4. Provide the following information about your employment during the past 5 years. List your present employment first.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Name and Address of Employer	Your Occupation	Dates	
		From (Mo/Yr)	To (Mo/Yr)
N M N for Wood Manufacturing Giza, Egypt	Director/Partner	7 2011	2 2017

5. Provide the following information about your parents and siblings (brothers and sisters). Check the box if the person is deceased.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Full Name	City/Town and Country of Birth	Current Location
Mother Nadia Abdo SADEK	Giza, Egypt	<input type="checkbox"/> Deceased Giza, Egypt
Father Samy Amin ESHAK	Giza, Egypt	<input type="checkbox"/> Deceased Giza, Egypt
Sibling Nesreen ESHAK	Giza, Egypt	<input type="checkbox"/> Deceased San Diego, CA
Sibling Samir ESHAK	Giza, Egypt	<input type="checkbox"/> Deceased Giza, Egypt
Sibling Vivian ESHAK	Giza, Egypt	<input type="checkbox"/> Deceased Giza, Egypt
Sibling		<input type="checkbox"/> Deceased



**Part B. Information About Your Application**

(NOTE: Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part B.)

When answering the following questions about your asylum or other protection claim (withholding of removal under 241(b)(3) of the INA or withholding of removal under the Convention Against Torture), you must provide a detailed and specific account of the basis of your claim to asylum or other protection. To the best of your ability, provide specific dates, places, and descriptions about each event or action described. You must attach documents evidencing the general conditions in the country from which you are seeking asylum or other protection and the specific facts on which you are relying to support your claim. If this documentation is unavailable or you are not providing this documentation with your application, explain why in your responses to the following questions.

Refer to Instructions, Part 1: Filing Instructions, Section II, "Basis of Eligibility," Parts A - D, Section V, "Completing the Form," Part B, and Section VII, "Additional Evidence That You Should Submit," for more information on completing this section of the form.

1. Why are you applying for asylum or withholding of removal under section 241(b)(3) of the INA, or for withholding of removal under the Convention Against Torture? Check the appropriate box(es) below and then provide detailed answers to questions A and B below.

I am seeking asylum or withholding of removal based on:

- |  |  |
|--|--|
| <input type="checkbox"/> Race                | <input type="checkbox"/> Political opinion                       |
| <input checked="" type="checkbox"/> Religion | <input type="checkbox"/> Membership in a particular social group |
| <input type="checkbox"/> Nationality         | <input checked="" type="checkbox"/> Torture Convention           |

- A. Have you, your family, or close friends or colleagues ever experienced harm or mistreatment or threats in the past by anyone?

☐ No ☒ Yes

If "Yes," explain in detail:

1. What happened;
2. When the harm or mistreatment or threats occurred;
3. Who caused the harm or mistreatment or threats; and
4. Why you believe the harm or mistreatment or threats occurred.

Please refer to my declaration incorporated herein by reference.

- B. Do you fear harm or mistreatment if you return to your home country?

☐ No ☒ Yes

If "Yes," explain in detail:

1. What harm or mistreatment you fear;
2. Who you believe would harm or mistreat you; and
3. Why you believe you would or could be harmed or mistreated.

Please refer to my declaration incorporated herein by reference.

**Part B: Information About Your Application (Continued)**

2. Have you or your family members ever been accused, charged, arrested, detained, interrogated, convicted and sentenced, or imprisoned in any country other than the United States?

☒ No

☐ Yes

If "Yes," explain the circumstances and reasons for the action.

- 3.A. Have you or your family members ever belonged to or been associated with any organizations or groups in your home country, such as, but not limited to, a political party, student group, labor union, religious organization, military or paramilitary group, civil patrol, guerrilla organization, ethnic group, human rights group, or the press or media?

☐ No

☒ Yes

If "Yes," describe for each person the level of participation, any leadership or other positions held, and the length of time you or your family members were involved in each organization or activity.

I attended the church of Virgin Mary Sultanet El-Salam Church, Oseem, Giza, Egypt

- 3.B. Do you or your family members continue to participate in any way in these organizations or groups?

☐ No

☒ Yes

If "Yes," describe for each person your or your family members' current level of participation, any leadership or other positions currently held, and the length of time you or your family members have been involved in each organization or group.

I am a member of Saint Jacob, Melkite Catholic Community in San Diego, CA.

4. Are you afraid of being subjected to torture in your home country or any other country to which you may be returned?

☐ No

☒ Yes

If "Yes," explain why you are afraid and describe the nature of torture you fear, by whom, and why it would be inflicted.

Please refer to my declaration incorporated herein by reference.

**Part C. Additional Information About Your Application**

(NOTE: Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part C.)

1. Have you, your spouse, your child(ren), your parents or your siblings ever applied to the U.S. Government for refugee status, asylum, or withholding of removal?

☐ No

☒ Yes

If "Yes," explain the decision and what happened to any status you, your spouse, your child(ren), your parents, or your siblings received as a result of that decision. Indicate whether or not you were included in a parent or spouse's application. If so, include your parent or spouse's A-number in your response. If you have been denied asylum by an immigration judge or the Board of Immigration Appeals, describe any change(s) in conditions in your country or your own personal circumstances since the date of the denial that may affect your eligibility for asylum.

My sister, Nesreen ( A 205 171 641), applied for asylum and was granted.

- 2.A. After leaving the country from which you are claiming asylum, did you or your spouse or child(ren) who are now in the United States travel through or reside in any other country before entering the United States?

☐ No

☒ Yes

- 2.B. Have you, your spouse, your child(ren), or other family members, such as your parents or siblings, ever applied for or received any lawful status in any country other than the one from which you are now claiming asylum?

☐ No

☒ Yes

If "Yes" to either or both questions (2A and/or 2B), provide for each person the following: the name of each country and the length of stay, the person's status while there, the reasons for leaving, whether or not the person is entitled to return for lawful residence purposes, and whether the person applied for refugee status or for asylum while there, and if not, why he or she did not do so.

2A) I had a transit in Dubai, UAE, for 2 hours.

2B) My sister, Nesreen, is a Lawful Permanent Resident of the U.S.

3. Have you, your spouse or your child(ren) ever ordered, incited, assisted or otherwise participated in causing harm or suffering to any person because of his or her race, religion, nationality, membership in a particular social group or belief in a particular political opinion?

☒ No

☐ Yes

If "Yes," describe in detail each such incident and your own, your spouse's, or your child(ren)'s involvement.

**Part C. Additional Information About Your Application (Continued)**

4. After you left the country where you were harmed or fear harm, did you return to that country?

☒ No

☐ Yes

If "Yes," describe in detail the circumstances of your visit(s) (for example, the date(s) of the trip(s), the purpose(s) of the trip(s), and the length of time you remained in that country for the visit(s).)

5. Are you filing this application more than 1 year after your last arrival in the United States?

☒ No

☐ Yes

If "Yes," explain why you did not file within the first year after you arrived. You must be prepared to explain at your interview or hearing why you did not file your asylum application within the first year after you arrived. For guidance in answering this question, see Instructions, Part 1: Filing Instructions, Section V. "Completing the Form," Part C.

6. Have you or any member of your family included in the application ever committed any crime and/or been arrested, charged, convicted, or sentenced for any crimes in the United States?

☒ No

☐ Yes

If "Yes," for each instance, specify in your response: what occurred and the circumstances, dates, length of sentence received, location, the duration of the detention or imprisonment, reason(s) for the detention or conviction, any formal charges that were lodged against you or your relatives included in your application, and the reason(s) for release. Attach documents referring to these incidents, if they are available, or an explanation of why documents are not available.

Michael Eshak

DOB: 11/11/1983

I-589

**Part D. Your Signature**

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it are all true and correct. Title 18, United States Code, Section 1546(a), provides in part: Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement or which fails to contain any reasonable basis in law or fact - shall be fined in accordance with this title or imprisoned for up to 25 years. I authorize the release of any information from my immigration record that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.



**WARNING:** Applicants who are in the United States illegally are subject to removal if their asylum or withholding claims are not granted by an asylum officer or an immigration judge. Any information provided in completing this application may be used as a basis for the institution of, or as evidence in, removal proceedings even if the application is later withdrawn. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act. You may not avoid a frivolous finding simply because someone advised you to provide false information in your asylum application. If filing with USCIS, unexcused failure to appear for an appointment to provide biometrics (such as fingerprints) and your biographical information within the time allowed may result in an asylum officer dismissing your asylum application or referring it to an immigration judge. Failure without good cause to provide DHS with biometrics or other biographical information while in removal proceedings may result in your application being found abandoned by the immigration judge. See sections 208(d)(5)(A) and 208(d)(6) of the INA and 8 CFR sections 208.10, 1208.10, 208.20, 1003.47(d) and 1208.20.

Print your complete name.	Write your name in your native alphabet.
Micheal                      Samy Amin                      ESHAK	مايكل سامي امين ايشاك

Did your spouse, parent, or child(ren) assist you in completing this application? ☒ No ☐ Yes (If "Yes," list the name and relationship.)

(Name)	(Relationship)	(Name)	(Relationship)
--------	----------------	--------	----------------

Did someone other than your spouse, parent, or child(ren) prepare this application? ☐ No ☒ Yes (If "Yes," complete Part E.)

Asylum applicants may be represented by counsel. Have you been provided with a list of persons who may be available to assist you, at little or no cost, with your asylum claim?

☒ No ☐ Yes

Signature of Applicant (The person in Part A.I.)

[ Michael Eshak ]

Sign your name so it all appears within the brackets

7/20/2017

Date (mm/dd/yyyy)

**Part E. Declaration of Person Preparing Form, if Other Than Applicant, Spouse, Parent, or Child**

I declare that I have prepared this application at the request of the person named in Part D, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant, and that the completed application was read to the applicant in his or her native language or a language he or she understands for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form I-589 may also subject me to civil penalties under 8 U.S.C. 1324c and/or criminal penalties under 18 U.S.C. 1546(a).

Signature of Preparer		Print Complete Name of Preparer Gihan L. Thomas Law Offices of Gihan Thomas	
Daytime Telephone Number (310)203-2242		Address of Preparer: Street Number and Name 611 Wilshire Blvd.	
Apt. Number 907	City Los Angeles	State CA	Zip Code 90017

**Part F. To Be Completed at Asylum Interview, if Applicable**

**NOTE:** You will be asked to complete this part when you appear for examination before an asylum officer of the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS).

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not all true to the best of my knowledge and that correction(s) numbered \_\_\_\_\_ to \_\_\_\_\_ were made by me or at my request. Furthermore, I am aware that if I am determined to have knowingly made a frivolous application for asylum I will be permanently ineligible for any benefits under the Immigration and Nationality Act, and that I may not avoid a frivolous finding simply because someone advised me to provide false information in my asylum application.

Signed and sworn to before me by the above named applicant on:

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Write Your Name in Your Native Alphabet

\_\_\_\_\_  
Signature of Asylum Officer

**Part G. To Be Completed at Removal Hearing, if Applicable**

**NOTE:** You will be asked to complete this Part when you appear before an immigration judge of the U.S. Department of Justice, Executive Office for Immigration Review (EOIR), for a hearing.

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not all true to the best of my knowledge and that correction(s) numbered \_\_\_\_\_ to \_\_\_\_\_ were made by me or at my request. Furthermore, I am aware that if I am determined to have knowingly made a frivolous application for asylum I will be permanently ineligible for any benefits under the Immigration and Nationality Act, and that I may not avoid a frivolous finding simply because someone advised me to provide false information in my asylum application.

Signed and sworn to before me by the above named applicant on:

\_\_\_\_\_  
Signature of Applicant

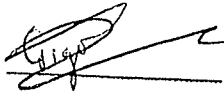
\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Write Your Name in Your Native Alphabet

\_\_\_\_\_  
Signature of Immigration Judge



I, Gigi Louis hereby attest that I am competent in both English and Arabic and that I have reviewed that translation of the declaration attached herewith that was prepared previously, and confirm that is accurate and true to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Gigi Louis', is written over a horizontal line.

Gigi Louis

I am a Coptic Christian from Egypt. I have tremendous fear to return back to Egypt today because of the extensive attacks by ISIS which are now targeting the Coptic Christians. It appears that ISIS is now moving to Egypt and is aiming the Coptic minority. In December 2016, they bomb the church of el Botrosia where many women and children were killed. They announced their responsibility for this attack. Following this bombing, in January 2017 many Christians in Alexandria were stabbed and their throats were slayed. After that, many Christians in North Sinai suffered the same fate. ISIS declared responsibility for this attacks. All the Coptic Christians of Sinai fled their area and abandoned their homes to find safety elsewhere. On February 2017, ISIS made an announcement that the Coptic Christians of Egypt will be their favorite prey. They were correct, as in Palm Sunday of 2017, they bombed at the same time, two churches in both the city of Tanta and the city of Alexandria. Many were killed and injured during these attacks. ISIS again declared responsibility for these attacks.

On May 26, 2017, 27 children and their guardians were going to St Samuel monastery and were killed in the bus and others were injured. The assailants came on the bus and asked to declare that God is Allah and Mohammed is his Prophet. When they declined, they shoot them and killed them. ISIS, again declared responsibility for this attack.

I am proud to be a Coptic Christian. I have a cross tattoo on my right wrist. I always wear a cross tattoo necklace. I have prayed in the Virgin Mary, Catholic Coptic church in OSEEM – Giza. I participated in all the sacraments. Since my entry to the US, I am currently attending the Saint Jacob, Melkite Catholic community in San Diego.

I also had to leave Egypt on March 13, 2017. The reason was that my apartment building is close to a mosque called “Al Meghfera”. On January 6, 2017, it was a Friday, approximately about 3. pm, two Moslems knocked our door and asked if they could install a microphone on the balcony so that the Friday sermons could be heard throughout the neighborhood. I was present at home when these 2 Moslems came to us. My mother and father were also present. They were wearing Jilbab and have the Islamic attire. We lived on the third floor of this apartment building which consists of three stories building. I refused and told him politely that we do not want to install this microphone because it could cause us noise and the wires



could create hazards. They accused me of refusing to install the microphone because we are Christian infidels. I asked him may be, why not ask other Moslem neighbors on the same floor. I directed him to my next door neighbor. They were offended and one of them said "Infidel, this is a Moslem country, you will have to place this microphone for the good of the mosque, or you will suffer bad consequences". I had an argument and told them to please, as this is my property and that I am free to determine what could or could not be installed on my own balcony. My parents were trying to calm the situation, however, no one can force me to do something that I refuse to do. I asked my parents to not interfere. I thought that would end the conversation and hoped that they would ask other Moslem neighbors in the same building to accommodate their request.

I also was wondering with my parents why is this request coming at this time? I would note that we were the only Christian family in the apartment building.

A week later, January 13, 2017 while coming back from my work, I was stopped by the same 2 Moslems. They told me the Imam of the mosque needs to speak to me. When I inquired about the basis for the request, and whether it had any connection with the prior request to install the microphone on our balcony, they refused to answer me. Thus, I said I have no intention of speaking to anyone. I left them as I was walking away, one of them told me that I will suffer consequences. I left them and that was it.

The next day, I found that my Mazda car was damaged. The windows were broken and the cross hanging from the rear review mirror was removed. When I inquired of the door man if he had seen anyone, he said no. I went to file a police report for the damaged vehicle, however, the police never issued one and said thank god that you are not hurt, go fix your car. However, I was trying to notify the officer about these 2 Moslems and ask an investigation as they could be the one behind this car attack, they said that I am creating a problem out of nowhere.

On February 2, 2017, I was leaving my apartment in the morning to go to work around 7.00 a.m. I found these 2 Moslems along with 2 other people who look like members of the Moslem Brotherhood. One of those people had a large stick. They were waiting for me. They said infidel, you have exceeded all boundaries, you are insulting the Moslems in their Moslem nation. They engaged in my attack. I was

beaten by them. I was yelling and fortunately, my mother came to the balcony and saw the attack and started screaming. My father and my mother came down with other neighbors from the area and they interfered. These Moslem left while vowing to kill me for my insubordination. While I was being attacked, I was called an infidel, blue bone (an insult to a Coptic Christian) and a son of B. My parents took me to the hospital (Altahrir Public Hospital) in Imbaba where I was treated for my injuries. After the treatment, we went back to the police station to report the attack. The police did nothing and refused to issue a report claiming that they do not want to disturb the national unity.

I decided to take time out from work. I stayed home because I was in pain. The Friday of February 3, 2017, we heard the Imam in the mosque saying that they need to rise against the infidels and to the ones that defy Islam and the Moslem nation. I felt that the sermon was directed at me. I was worried. After the sermon, one of my neighbors, called Abdel Hassib came to pay us a visit. He told me that I need to leave the apartment because my life is in danger. I was told that some Moslems inside the mosque want to kill me for allegedly insulting their heavenly religion and defying the Imam.

I immediately packed my clothes and went to live with a relative in the city of Port Said. I stayed there. I arranged to leave Egypt immediately. I entered the US on March 13, 2017 and my sister in the US told me that I must request protection.

My parents told me that the situation in Egypt is very dire and I should not return back. Apparently a fatwa was issued by the Imam that my blood is permissible and that it would be an honor killing to shed it because I an infidel who defied them.

Michael Eshak

Michael Samy amin Eshak

انا مسيحي قبطي من مصر. انا اخاف جدا من العوده الي مصر بسبب الهجوم الزائد من داعش والذي يستهدف خاصه الان المسيحيين الاقباط. من الواضح الان ان داعش تستوطن مصر وتستهدف الاقليه القبطيه. في ديسمبر ٢٠١٦ تم حادث تفجير البطرسيه والذي اسفر عن قتل الكثير من الاطفال والنساء. داعش اعلنت مسئولياتها عن هذا الهجوم. بعد هذا الهجوم في شهر يناير تم الكثير من حملات ذبح وطعن موجه للمسيحيين الموجودين بالاسكندريه. عقب كل هذه الاحداث عاني مسيحيين شمال سيناء نفس المصير. واعلنت داعش ايضا مسئولياتها. كل المسيحيين الاقباط الذين يعيشون في شمال سيناء تم تهجيرهم من منازلهم وهروبهم بحثا عن الامان في اماكن اخري.

في فبراير ٢٠١٧, اعلنت داعش ان المسيحيين الاقباط سيكونون الفريسة المفضلة لديهم. وكانوا محقين في ذلك.

في يوم احد الشعانين من عام 2017, تم تفجير كنيستين في نفس الوقت, في مدينة طنطا ومدينة الاسكندرية. وقتل العديد منهم وجرحوا أثناء هذا الهجوم. واعلنت داعش مرة أخرى مسؤوليتها عن هذه الهجمات.

"في 26 مايو 2017, كان 27 طفلا وأهاليهم ذاهبون الى دير الانبا صموئيل وتم قتلهم في الاتوبيس وأصيب آخرون.

طلب المهاجمون علي الاتوبيس منهم أن تعلن أن يقولوا لا اله الا الله ومحمد هو رسوله. وعندما رفضوا، أطلقوا داعشا لنار عليهم وقتلوههم."

المسؤولية عن هذا الهجوم.

أنا فخور بأن أكون مسيحي قبطي. لدي وشم الصليب على معصمي الأيمن. أنا دائما ارتداء الصليب في صدري. لقد كنت اصلي في كنيسة السيده مريم العذراء الكاثوليكية القبطية في أوسيم - الحيزة. شاركت في جميع الأسرار.

منذ دخولي إلى الولايات المتحدة، وأنا حاليا اواظب الحضور في كنيسة القديس يعقوب الملكيه الكاثوليكية بسان ديبغو.

اضطرت لمغادرة مصر في 13 مارس 2017. والسبب هو أن شقتي بالقرب من مسجد يسمى "المغفرة". في 6 يناير 2017، يوم الجمعة، حوالي حوالي 3 مساء، اثنين من المسلمين طرقتوا الباب لدينا وسألونا إذا كان يمكنهم تثبيت ميكروفون على البلكونه بحيث الشيخ الذي يخطب يوم الجمعة يمكن أن يسمع في جميع أنحاء الشارع.

كنت حاضرا في المنزل عندما جاء هؤلاء المسلمون إلينا. كانت والدتي وأبي حاضرين أيضا. كانوا يرتدون الجلباب وهو الزي الإسلامي. كنا نعيش في الطابق الثالث من هذا المبنى الذي يتكون من ثلاثة طوابق.

رفضت وأبلغته بأدب أننا نفضل لا نريد تثبيت هذا الميكروفون لأنه يمكن أن يسبب لنا الضوضاء والأسلاك يمكن ان يشكل خطرا. اتهموني برفضى تركيب الميكروفون باننا مسيحيون كفار.

سألته: لماذا لا تسأل مسلم آخر؟ فالجيران في نفس الطابق في الشارع المقابل فهو مسلم وسيساعدهم. ولكن رفضي اعتبروه اهانه ووأحد منهم قال لي يا كافر، وهذا بلد مسلم، يجب عليك وضع هذا الميكروفون لخدمه المسجد الا وسوف تعاني المشاكل.

دخلنا في مشاده وقلت له انا حر في ممتلكاتي ولا اريد تثبيت هذا الميكروفون في البلكونه. والذي حاولا تهدئة الوضع فطلبت من والدي عدم التدخل.

اعتقدت أن ذلك سوف ينهي المحادثة أن يسألوا جيرانا المسلمين في نفس المبنى لتبليبه طلبهم. أنا ووالدي استغربنا من هذا الطلب الغريب ولماذا طلبوا منا ذلك بالرغم من أننا المسيحيين الوحيدين في المنطقة.

بعد اسبوع في ١٣ يناير ٢٠١٧ وفي اثناء عودتي من العمل وقفني اثنين مسلمين وقالوا لي ان شيخ الجامع يريد التحدث معي. وعندما سألت عن السبب وإذا كان الموضوع يتعلق بموضوع تثبيت ميكروفون على البلكونه , رفضوا الاجابه علي سؤالي. فقلت لهم اني لا نيه لي في التحدث مع اي شخص وتركتهم وذهبت في طريقي. واحد منهم قال لي انه لن يحدث خير. فذهبت وتركتهم.

في اليوم التالي وجدت عربيتي المازدا تم تكسيرها , زجاج العربيه تم تكسيه و الصليب المعلق في مرآه العربيه تم نزعها. وعندما سألت البواب عمن فعل ذلك لم يعرف شيء. ذهبت الي البوليس وحررت محضر بما حدث ولكن الضابط رفض تحرير محضر مبررا بانني يجب ان اشكر الله اني لم اصاب باذي وان اذهب واصلح العربيه بنفسي. حاولت ان اشرح للضابط ان من وراء ذلك قد يكون الاثنين المسلمين ولكنه قال بانني بذلك اخلق المشاكل من لا شيء.

في ١ فبراير ٢٠١٧ , كنت اغادر شقتي في الصباح للعمل في حوالي الساعه ٧ صباحا. وجدت المسلمين الاثنين ومعهم اثنين اخرون مسلمين يبدوون من الاخوان المسلمين. واحد منهم كان يمسك في يده عصا كبيره وينتظرونني. نادوني بالكافر وقالوا لي بانني عدت الحدود وانني اهنت المسلمين والامه الاسلاميه بما فعلته. بداوا مهاجمتي وضربي , بدات بالصراخ ولحسن حظي , والدتي دخلت البلكونه ورات ضربهم لي وبدات بالصراخ.

والدي ووالدتي نزلوا مع الجيران لمساعدتي . عندما راي المسلمون ذلك تركوني ولكنهم اقساموا بانهم سيقتلوني بسبب تمردتي. في اثناء ضربي تم لعني بكافه الشتائم منها ياكافر , يا عضمه زرقاء ( اهانه خاصه بالاقباط ) يا ابن ..... اخذني والدي الي المستشفى وتم علاجي من الاصابات التي تعرضت لها. بعد المستشفى توجهت الي قسم الشرطه للابلاغ عما حدث ولكن كالعاده قالوا لي انه من الافضل ان لا نهدي وحدتنا الوطنيه.

قررت اخذ وقت اجازة من الشغل وجلست بالمنزل من شدة الألم. يوم الجمعة 3 فبراير 2017 سمعنا شيخ الجامع يقول انهم لابد ان يقفوا ضد اي كافر واي شخص يتحدي الامه الاسلاميه والمسلمين.

شعرت بان هذه الخطبه موجهي ضدي بشكل خاص. حسيت بقلق. بعد الصلاه زارنا جار مسلم لنا يدعي الحاج عبد الحسيب واخبرني بانني لابد ان اترك بيتي لان حياتي في خطر.

وقال لي ان بعد المسلمين في الجامع اجمعوا علي قتلي بسبب زعمهم بانني اسات للاسلام وجنتهم ودينهم وتمردني علي شيخ الجامع.

علي الفور حضرت شنتتي وذهبت لاحد اقربائي ببور سعيد. ومكثت هناك حتي تمكنت من حجز تكرتي للولايات المتحدة.

دخلت الولايات المتحدة الامريكه في ١٣ مارس ٢٠١٧ ونصحتي اختي بانني لابد ان اطلب الحمايه علي الفور.  
اخبرني اهلي بان الوضع في مصر سئ جدا ولا بد لي ان لا اعود الي البلد.  
شيخ الجامع اصدر فتوي بابياحه دمي وان قتلي سيكون نصره للاسلام لانني كافر وكفرت بالاسلام.  
مايكل سامي امين اسحق

مايكل سامي امين اسحق

Michael Es Hak



U.S. Department of Homeland Security  
Los Angeles Asylum Office  
P.O. Box 65015  
Anaheim CA 92815  
Tel: (714) 808-8000  
Fax: (714) 635-8707  
Email: [LosAngelesAsylum@uscis.dhs.gov](mailto:LosAngelesAsylum@uscis.dhs.gov)



U.S. Citizenship  
and Immigration  
Services

August 11, 2017

MICHEAL ESHAK  
7879 RANCHO FANITA DR D  
SANTEE CA 92071

Re: A216008412

Dear MICHEAL ESHAK:



Status/Inquiry

US DEPT OF HOMELAND SECURITY  
US CITIZENSHIP & IMMIGRATION SVCS  
P. O. BOX 65015  
ANAHEIM, CA 92815-8515

F  
R  
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M

NAME: MICHEAL ESHAK

A-NUMBER: 216008412 RCPT#: ZLA1700143780

DATE: 7/21/17  
FORM: I-589

\*\*\* ACKNOWLEDGEMENT OF RECEIPT \*\*\*  
Your complete Form I-589 asylum application was received and is pending as of 7/21/17. You may remain in the U.S. until your asylum application is decided. If you wish to leave while your application is pending, you must obtain advance parole from USCIS. If you change your address, send written notification of the change within 10 days to the above address. You will receive a notice informing you when you and those listed on your application as a spouse or dependents must appear for an asylum interview. Bring to the interview 3 copies of documentary evidence of your relationship to those family members.

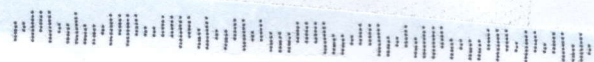
7/21/17 2:05 PM 9:25  
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MICHEAL ESHAK  
7879 RANCHO FANITA DR D  
SANTEE, CA 92071

SANTEE, CA 92071

928158515 B900







# Exhibit B



**THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.**

<b>Fingerprint Notification</b>			NOTICE DATE July 25, 2017
CASE TYPE I589 Application For Asylum		CODE 3	USCIS A# A 216 008 412
RECEIPT NUMBER ZLA1700143780	RECEIVED DATE July 21, 2017	PRIORITY DATE July 21, 2017	PAGE 1 of 1
APPLICANT NAME AND MAILING ADDRESS MICHEAL SAMY AMIN ESHAK 7879 RANCHO FANITA DR D SANTEE CA 92071			
<p><b>BIOMETRICS PROCESSING STAMP</b>  <b>ASSIGN SITE CODE</b>  <b>BIOMETRICS QA REVIEW BY: AUG -4 2017</b>  <b>TEMP PRINT REVIEW BY: AUG -4 2017</b></p>			
<p>You have been scheduled to appear at the below USCIS Application Support Center (ASC) to be fingerprinted and photographed (biometrics collection) during the 14-day period specified below. Completion of background identity and security checks is required in order to process your application.</p>			
<b>Address</b>		<b>14-Day Period</b>	<b>Hours of Operation</b> CLOSED ON FEDERAL HOLIDAYS
USCIS SAN DIEGO 1655 BROADWAY SOMMERSET PLAZA SUITE 22 CHULA VISTA CA 919113262		08/04/2017 to 08/18/2017	Sat - Sun Closed Mon - Fri 8am-3pm
<p>Failure to appear as scheduled for fingerprinting and biometrics collection during the 14-Day period may delay eligibility for work authorization and/or result in an asylum officer dismissing your asylum application, and/or referring it to an Immigration Judge.</p>			
<p>When you appear for fingerprinting and biometrics collection, <b>you MUST BRING THIS LETTER</b>, or you will not be able to have your fingerprints taken. This may cause a delay in the processing of your application and your eligibility for work authorization. Even if you are scheduled at the same time as your family members, each individual must bring his or her own notice. <b>Note: Asylum applicants are not required to present identification documents in order to have biometrics collected; however, if you have photo identification you should bring it with you. Biometrics processing may take longer without identification.</b></p>			
<p>Please note that ASC staff will not be able to answer questions about the status of your application. If you have questions, please contact the asylum office with jurisdiction over your application. Contact information can be found at the "Find a USCIS Office" link on the USCIS website at <a href="http://www.uscis.gov">www.uscis.gov</a>.</p>			
<p>Pursuant to Section 265 of the Immigration and Nationality Act, you are required to notify the USCIS, in writing, of any address changes, within 10 days of such change. If you were placed in removal proceedings before an Immigration Judge, you are also required to notify the Immigration Court having jurisdiction over your case of any change of address within 5 days of such change, on Form EOIR-33. Include your name, signature, address, and USCIS A# on any written notice of change of address. The USCIS will use the last address you provided for all correspondence, and you are responsible for the contents of all USCIS correspondence sent to that address. Failure to provide your current address as required may result in dismissal or referral of your asylum application, institution of removal proceedings, the entry of a removal order in your absence if you fail to appear for a hearing before an immigration judge, and removal from the United States.</p>			
<p><b>NOTE:</b> USCIS will use your fingerprints to check the criminal history records of the FBI. You may obtain a copy of your own FBI identification record using the procedures outlined within Title 28 C.F.R., Section 16.32. The procedures to change, correct, or update your FBI identification record are outlined within Title 28 C.F.R., Section 16.34.</p>			
<p><b>Rescheduling Form:</b> <input type="checkbox"/> Please reschedule my appointment. Upon receipt of your request, you will receive a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to: <b>BPU, Alexandria ASC, 8850 Richmond Highway, Suite 100, Alexandria, VA 22309-1586</b>. If you have any questions regarding this notice, please call 1-800-375-5283.</p>			<p>APPLICANT COPY</p> 



# Exhibit C

## REQUEST TO BE ADDED TO THE LOS ANGELES ASYLUM STANDBY LIST

Applicant's Name	Micheal Samy Amin Eshak
Applicant's A number	216 008 412
Applicant's Phone Number(s)	(858)829-6484
Applicant's Email	eshak.micheal83@gmail.com

Representative's Name	Gihan L. Thomas
Representative's Phone Number(s)	310 203 2242
Representative's Email	g.thomas@gihanthomaslaw.com

I would like to be added to the standby list. I have completed the following action:

- ☒ Attached a copy of my I-589, including a declaration if applicable. (In lieu of submitting a declaration, I thoroughly completed I-589 Part B. Information About Your Application).

I understand that:

- ☒ I am not on the standby list until I have received notification from the Los Angeles Asylum Office that I have been added to the list. Adding me to the standby list is at the discretion of the Los Angeles Asylum Office.
- ☒ The Los Angeles Asylum Office will provide as much notice as possible, but I may be called as late as 5 pm the day before an interview.
- ☒ If I am not able to accept an interview date/time, it will count as an "attempt" to schedule an interview. If I am given multiple interview dates/times at the same time and I do not accept any of them, each date/time will count as an attempt. After three attempts without accepting an interview, I will be removed from the standby list.
- ☒ If I fail to appear for an accepted interview, I will be removed from the standby list.
- ☒ I will keep my contact information up to date. If the Los Angeles Asylum Office is unable to reach me or my attorney after several efforts, I may be removed from the standby list.
- ☒ If I will be submitting additional supporting documentation, it must be submitted in duplicate (one set of original documents and one copy) at least one week prior to the date of the interview and all documents will be clearly labeled "Supporting Documents" and include applicant's name, alien registration number, and interview date and time, if applicable. Documents will be accepted by mail, fax (714-635-9136) 25 or fewer pages, or email ([LosAngelesAsylum@uscis.dhs.gov](mailto:LosAngelesAsylum@uscis.dhs.gov)) five pages or fewer.
- ☒ If I cannot accept an interview because I would like to submit supporting documentation, it will count as an attempt.